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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/714,320	11/15/2000	Matias Duarte	04676.P004X	6475

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EXAMINER

KUMAR, SRILAKSHMI K

ART UNIT	PAPER NUMBER
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2675

DATE MAILED: 06/19/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/714,320

Applicant(s)

DUARTE ET AL.

Examiner

Srilakshmi K. Kumar

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☐ Claim(s) 1-25 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-4, 6-12, 16-18, 20 and 21 is/are rejected.
- 7) ☒ Claim(s) 5, 13, 19 and 22-25 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) <u>2</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-4, 6, 9-12 and 16-18 are rejected under 35 U.S.C. 102(b) as being anticipated by Miyagawa et al (US 5,268,817).

As to independent claim 1, Miyagawa et al disclose an apparatus comprising, a data processing device (Figs. 7a-7c, 12, 13 and 15), and a display coupled to said data processing device at a pivot point and rotatable around said pivot point from a closed position to an open position, wherein said display is viewable in both said closed position and said open position (col. 2, lines 2-68, col. 6, lines 12-55, and col. 10, lines 5-57).

As to independent claim 9, limitations of claim 1, and further comprising, a support arm (fig. 12, items 47) having a first end and second end, and a display rotatably coupled to said support arm at said second end, said display being viewable regardless of how said display and support arm are rotated with respect to said data processing device (Fig. 12, col. 10, lines 5-61).

As to independent claim 16, limitations of claims 1 and 9, and further comprising, wherein a display rotatably coupled to said data processing device and configured to rotate within a plane from a first position to a second position (Fig. 7a-7c), wherein said first position said display covers one or more control elements on said data processing device and wherein in said second position said display is inverted relative to said first position (Figs. 7a-7c).

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As to dependent claims 2 and 10, limitations of claims 1 and 9, and further comprising, wherein said data processing device comprises a first group of control elements covered by said display when said display is in a closed position (Fig. 7b, items 27, and Fig. 12, item 43).

As to dependent claims 3, 11 and 17, limitations of claims 2, 10 and 16, and further comprising wherein said first group of control elements comprise a keyboard (Fig. 7b, items 27, and Fig. 12, item 43).

As to dependent claims 4, 12 and 18, limitations of claims 2, 10 and 17, and further comprising, wherein said data processing device comprises a second group of control elements not covered by said display when said display is in a closed position (Fig. 16, item 51 & pen, and col. 11, lines 22-26).

As to dependent claim 6, limitations of claim 1, see claim 16, above.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made. *ST*

7-8, 14-15 and 20-21
4. Claims ~~7, 14 and 20~~ are rejected under 35 U.S.C. 103(a) as being unpatentable over Miyagawa et al (US 5,268,817) as applied to claims 1, 9 and 16, above, and further in view of Haneda et al. (US 5,900,848).

As to dependent claims 7, 14, and 20, limitations of claims 1, 9 and 16, and further comprising, a switch configured to trigger when said display is rotated from open to close. Miyagawa et al do not teach a switch to trigger. Haneda et al in col. 6, line 44-col. 7, line 12,

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teach a switch which is triggered depending on the state of the lid body. It would have been obvious to one of ordinary skill in the art that the feature of Haneda et al could have easily been incorporated into that of Miyagawa et al both systems disclose an apparatus for data processing with rotatable display devices. The switch feature is advantageous as it enables the processor to distinguish the direction of the display of the rotatable display device.

As to dependent claims 8, 15 and 21, limitations of claims 7, 14 and 20, and further comprising wherein the image inversion logic to invert images on said display response to said switch triggering. Miyagawa et al do not teach where the images are inverted in response to switch triggering. Haneda et al disclose in col. 6, line 44-col. 7, line 12 where the images are inverted depending upon the switching state. It would have been obvious to one of ordinary skill in the art that the feature of Haneda et al could have easily been incorporated into that of Miyagawa et al both systems disclose an apparatus for data processing with rotatable display devices. The switch feature is advantageous as it enables the processor to distinguish the direction of the display of the rotatable display device.

Allowable Subject Matter

5. Claims 5, 13, 19 and 22-25 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

As to claims 5, 13 and 19, the prior art of record fail to disclose where a second group of control elements comprise a control knob and a set of control buttons. The prior art of record discloses a pen input stylus and a touch panel.

Claims 22-25 are objected to as they depend upon a rejected base claim.

Conclusion

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks
Washington, D.C. 20231

Or faxed to:

(703) 308-9051, (for formal communications intended for entry)

Or:

(703) 308-6606 (for informal or draft communications, please label
"PROPOSED" or DRAFT")

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal drive,

Arlington, VA, Sixth Floor (Receptionist)

Any inquiry concerning this communication or earlier communications from the
examiner should be directed to Srilakshmi K. Kumar whose telephone number is 703 306 5575.

The examiner can normally be reached on 8:00 am to 5:30 pm alternate Fridays off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's
supervisor, Steven J. Saras can be reached on 703 305 9720. The fax phone numbers for the
organization where this application or proceeding is assigned are 703 306-0377 for regular
communications and 703 308 9051 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding
should be directed to the receptionist whose telephone number is 703 305 4700.


STEVEN SARAS
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600

Srilakshmi K. Kumar
Examiner
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SKK

June 14, 2002